

REMARKS

Applicants thank the Examiner for indicating that claims 11-15 and 18-19 would be allowable if rewritten in independent form. Applicants have canceled claims 1-6, 18 and 20. In addition, Applicants have amended claims 7, 8, 11-14, 16 and 19 to correct informalities and to place the claims in condition for allowance. More particularly, claim 7 now includes the limitations of claim 11 and claim 16 now includes the limitations of claim 18. Claim 19 is now in independent form. Claim 11 was amended to include the limitations of now canceled claim 5. Applicants respectfully assert that remaining claims 7-17 and 19, as amended, are now in condition for allowance.

Claim 14 stands rejected under 35 USC § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully disagree. Applicants point out that claim 7 includes both a dielectric layer and a gate film stack. The gate film stack is separate and distinct from the dielectric layer that "extends within said first region and said second region." Moreover, though Claim 7 recites that the gate film stack extends "within said first region and said second region," claim 7 does not specify the lateral extend of the dielectric film. In some embodiments of the present invention (e.g., the embodiment shown in Figure 5A) the dielectric film extends within both the first region and the second region. However, in other embodiments (e.g., the embodiment shown in Figures 1C) the dielectric film only extends within the first region. Claim 14 recites "said dielectric film only extending within said first region." Since claim 7 does not specify the lateral extent of the dielectric film, Applicants' respectfully assert that the language of claim 14 is proper, and that Claim 14 meets the requirements of 35 USC § 112.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Kenneth Glass, Applicants' Attorney at (408) 354-4448 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date


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